REMARKS/ARGUMENTS

Claims 1-105 are active in this application.

Claim 105 is added and finds support in Claim 1 and the specification on page 42, lines 4-8 and 9-13.

No new matter is believed to be added.

The Examiner has indicated that the claims are drawn to patentably distinct inventions and is therefore requiring selection of one of the following groups:

Group I: Claims 1-19, 101-102 are drawn to methods comprising administering of a hematopoietic factor selected from the group consisting of GMCSF, a GMCSF derivative, GCSF, a GCSF derivative and combinations thereof, classified in class 514, subclass 2.

Group II: Claims 20-21, 90-100, 103-104 are drawn to methods comprising administering polynucleotides encoding a hematopoetic factor selected from the group consisting of GMCSF, a GMCSF derivative, GCSF, a GCSF derivative and combination thereof, classified in class 514, subclass 44.

Group III: Claims 22-34 are drawn to methods of administering neural stem cells that have been contacted with a hematopoetic factor selected from the group consisting of GMCSF, a GMCSF derivative, GCSF, a GCSF derivative and combinations thereof, classified in class 424, subclass 93.1.

Group IV: Claims 35-37, are drawn to screening methods comprising contacting neuronal cells with said compound that binds to GCSF receptor and measuring an increase in STAT activation relative to controls, classification dependent upon structure of the recited "compound".

Group V: Claim 38, drawn to a compound identified by the screening method of Group IV, classification dependent upon structure of the recited "compound".

Group VI: Claims 39-51, drawn to methods of treatment comprising administering the compound of Group V, classification dependent upon structure of the recited "compound".

Group VII: Claims 52-54, 77-78, 80-89 are drawn to screening methods comprising contacting neuronal cells with a compound that binds to GMCF receptor comprising contacting neuronal cells with said compound and measuring an increase in STAT gene activation relative

to controls, classification dependent upon structure of the recited "compound".

Group VIII: Claim 55, 79 are drawn to a compound identified by the screening method of Group VII, classification dependent upon structure of the recited "compound".

Group IX: Claims 56-64 are drawn to methods of treatment comprising administering the compound of Group VII, classification dependent upon structure of the recited "compound".

Group X: Claim 65 is drawn to methods of screening for agonists of GCSF receptor, comprising contacting a neural cell with said compound, measuring the neuroprotective effect with the compound relative to the effect of GCSF, classification dependent upon structure of the recited "compound".

Group XI: Claim 66 is drawn to a compound identified by the screening method of Group X, classified in classification dependent upon structure of the recited "compound".

Group XII: Claims 67-76 are drawn to methods of treatment comprising administering the compound of Group XI, classification dependent upon structure of the recited "compound".

As noted, for initial examination purposes only, Applicants elect, with traverse, Group I, Claims 1-19 and 101-102. Newly added Claim 105 is also within this elected subject matter.

Restriction is only proper if the claims of the restricted groups are either independent or patentably distinct. The burden of proof is on the Office to provide reasons and/or examples to support any conclusion with regard to patentable distinctness. MPEP §803.

Applicants respectfully traverse the Restriction Requirement on the grounds that adequate reasons and/or examples have not been provided to support a conclusion of patentable distinctness between the identified groups. In fact, all of the allegations as to patentable distinctness, including alleged unpatentability, are merely allegations without support by specific scientific basis nor citations to underlying documents.

Further, Applicants respectfully traverse the Restriction Requirement on the grounds that the Office has not shown that a burden exist in searching all of the claims. Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

On pages 9-10 of the Restriction Requirement discussion of election of species identified as well as claims reading thereon. However, as there was no identification of species from which to choose, it is believed this section of the requirement was inadvertently included. Should an election of species be desired, Applicants request that they be identified.

An action on the merits and allowance of the claims is requested.

Respectfully submitted,

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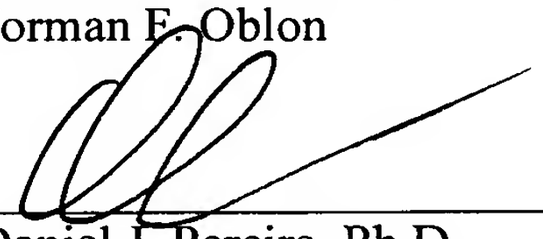

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